REMARKS

This application has been carefully considered in connection with the Examiner's Final Office Action dated April 30, 2008. Reconsideration and allowance are respectfully requested in view of the following.

Summary of Claim Status

Claims 1-11 and 23-37 were pending at the time of the Final Office Action.

Claims 1, 9 and 23 were objected to.

Claims 1-11, and 23-29 were rejected under 35 USC § 103.

Claims 30-37 were subject to a restriction requirement and were withdrawn based on a constructive election by original presentation.

Summary of Response

Claims 1-4, 9, 23, 24, and 27 are currently amended.

Claims 5, 8, 10, 11, 25, 26, 28, and 29 were previously presented.

Claims 6 and 7 remain as originally submitted.

Claims 12-22 were previously canceled.

Claims 32, 36, and 37 are withdrawn.

Claims 30, 31, and 33-35 are withdrawn - currently amended in accordance with MPEP 714(II)(C)(A) and MPEP 714(II)(C)(E).

Remarks and Arguments are provided below.

Summary of Claims Pending

Claims 1-11, 23-35 are currently pending following this response.

Applicant Initiated Interview

Applicant thanks Examiner Mirzadegan and Examiner Shaw for their time and consideration of the arguments presented in the telephone interview on June 3, 2008. In the interview arguments were presented against the rejection of each of independent claims 1, 9, and 23. Examiner Mirzadegan expanded on his interpretation of the art in the rejection of claims 1 and 23. Examiner Mirzadegan indicated that further consideration of the arguments against claim 9 may be required upon receiving this response and that a further search may be conducted. The restriction requirement was also discussed in the interview. In the interview Examiner Mirzadegan suggested clarifying amendments to claims 30 and 34. Further discussed with regard to restrictions was the possibility of an election of species requirement of Species I - Fig. 2, Claims 1-8 and 30-33; Species II - Fig. 3, Claims 9-11, 27-29, and 34-37; and Species III - Fig. 6, Claims 23-26.

Response to Restriction

Claims 30-37 were restricted as being directed to an invention that is independent or distinct from the invention originally claimed. The Office Action indicated, since Applicant has received an action on the merits for the originally

presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 30-37 were withdrawn from consideration as being directed to a non-elected invention. As noted above, claims 30 and 34 were clarified so as to recite method claims corresponding to the originally presented system claims 1 and 9, respectively. Accordingly, Applicant respectfully requests rejoinder of these claims.

Response to Objections

Claims 1, 9 and 23 were objected to because of informalities. Claims 1, 9 and 23 have been amended to read --configured-- as suggested in the Final Office Action.

Response to Rejections

None of APA, Grow, nor Panasyuk alone or in combination teach or suggest a swapping component that provides desired ones of a plurality of digital rights management clients to a mobile device. Having the swapping component enables viewing content on the mobile device that is stored in different digital rights management protocols when the mobile device has limited memory resources and cannot store all of the digital rights management clients at the same time.

Digital rights management technology addresses the need to identify, protect, monitor, and track digital materials and their use. Digital materials may be referred to as content and may include text content, audio content, video content, music content,

audio/video content, and encrypted content. With several competing digital rights management standards or protocols deployed to secure and manage access to content, the need for devices to interoperate with different digital rights management protocols arises. For example, if a listener attempts to download a music audio to an ODRL based playback device from a content provider who has chosen to protect and manage content using XrML, the attempt will fail. Intelligent devices with large resources may be able to store digital rights management client programs to interact with several prevalent digital rights management protocols concurrently. Mobile devices or low cost devices, however, may have limited memory resources and may be capable of storing only one DRM client program supporting a single DRM protocol.

A digital rights management integrated access system includes a digital rights management protocol manager in communication with a digital rights management server. The digital rights management protocol manager may communicate with the digital rights management server to load different digital rights management clients that each enable viewing content according to different digital rights management protocols. When the digital rights management protocol manager is deployed on a mobile device, resources may be limited and less than all of the digital rights management clients may be stored on the mobile device at a time. Accordingly, if a desired digital rights management protocol is not already loaded on the mobile device, the digital rights management protocol manager may retrieve a desired digital rights management client from the digital rights management server. The digital rights management protocol

manager may then swap out or overwrite undesired digital rights management clients stored on the mobile device with the desired digital rights management client. Accordingly, having the digital rights management protocol manager and the digital rights management server enables viewing content on the mobile device that is stored in different digital rights management protocols when the mobile device has limited memory resources and can not store all of the digital rights management clients at the same time.

Applicant respectfully submits that the applied art does not teach or suggest the digital rights management protocol manager and the digital rights management server as described above and recited in the claims.

The prior art system of Figure 1 in Applicant's disclosure discloses that an ODRL client 12 communicates with an ODRL content server 16 to receive content and an XrML client 18 communicates with an XrML content server 22 to receive content. The prior art system of Figure 1 in Applicant's disclosure does not provide any teaching or suggestion of a digital rights management protocol manager and a digital rights management server such that if the ODRL client 12 were to access content from the XrML content server 22, the XrML digital rights management protocol is loaded into the ODRL client 12 for presenting the XrML content, for example.

Grow discloses a transformation and exchange infrastructure that takes incoming data from any source using any protocol and transforms it into a form that can be read and understood natively by the destination (Grow: paragraph 0016). More particularly, Grow discloses translating between data interchange protocols (Grow: paragraph 0067)

or between data communication protocols (Grow: paragraphs 0066, 0078, and 0098). Grow does not provide any teaching or suggestion of a digital rights management protocol manager and a digital rights management server such that different digital rights management clients are loaded on a mobile device when desired.

These distinctions, as well as others, will be discussed in greater detail in the analysis of the present claims that follows.

Response to Rejections under Section 103

Claim 9:

Claim 9 was rejected under 35 USC § 103(a) as being unpatentable over Applicant's own Admitted Prior Art (hereinafter APA) in view of Grow, et al., U.S. Publication No. 2004/0019693 (hereinafter Grow), and further in view of Panasyuk, et al., U.S. Publication No. 2003/0163569 (hereinafter Panasyuk).

I. APA in view of Grow and further in view of Panasyuk does not teach or suggest a swapping component.

Claim 9 recites, "a swapping component configured to provide any of the plurality of the applications to the mobile device, each of the plurality of applications configured to present the content with the content presentation device according to a corresponding one of a plurality of content management protocols." Claim 9 has further been amended to recite, "wherein the swapping component provides a first of the

plurality of applications to present the content with the content presentation device according to the first of the plurality of content management protocols."

As described above, mobile devices may have limited resources and less than all of the plurality of content management protocols may be stored on the mobile device at a time. Accordingly, if a desired content management protocol is not already loaded on the mobile device, the swapping component may provide the desired content management protocol to the mobile device. The mobile device may then swap out or overwrite undesired digital rights management protocols stored on the mobile device with the desired digital rights management protocol.

The Final Office Action rejected claim 9 by simply stating on page 11, "all the limitations have been addressed above." Applicant notes that claim 9 includes limitations other than those that were addressed in the rejections of claims 1-8, including the swapping component. Applicant respectfully submits that none of APA, Grow, nor Panyasuk provide any teaching or suggestion of the claimed swapping component. A search in each of APA, Grow, and Panyasuk for the string "swap" did not produce any results. Accordingly, APA in view of Grow and further in view of Panasyuk does not teach or suggest a swapping component, as claimed.

For at least the reasons established above in section I, Applicant respectfully submits that independent claim 9 is not taught or suggested by APA in view of Grow and further in view of Panasyuk and respectfully requests allowance of this claim.

Claims Depending From Claim 9:

Claims 10, 11, and 27-29 were rejected under 35 USC § 103(a) as being unpatentable over APA in view of Grow and further in view of Panasyuk.

Dependent claims 10, 11, and 27-29 depend directly or indirectly from independent claim 9 and incorporate all of the limitations thereof. Accordingly, for at least the reasons established in section I above, Applicant respectfully submits that claims 10, 11, and 27-29 are not taught or suggested by APA in view of Grow and further in view of Panasyuk and respectfully requests allowance of these claims.

Claim 1:

Claim 1 was rejected under 35 USC § 103(a) as being unpatentable over APA in view of Grow and further in view of Panasyuk.

II. APA in view of Grow and further in view of Panasyuk does not teach or suggest to map between a first digital rights management protocol and a second digital rights management protocol.

Claim 1 recites, "the mediation component operable to ... map the requests for the second content to the second digital rights management protocol, ... map the second rights statement and the second content to the first digital rights management protocol."

The Final Office Action relied on paragraph 0010 of Grow to read on these limitations. Paragraph 0010 recites in part, "In view of the foregoing, embodiments of the present invention advantageously provide a system, software, and methods for data

connectivity and integration that facilitate fast and accurate transformation and exchange of data among a plurality of entities, sources, or applications." In the telephone interview, Examiner Mirzadegan further noted the disclosure in paragraph 0016 of Grow. Paragraph 0016 of Grow recites in part, "Embodiments of a system and software for data connectivity and integration have a transformation and exchange infrastructure (TEI) that takes incoming data (from any source using any protocol) and transforms it into a form that can be read and understood natively by the destination(s)." Applicant notes that both of these paragraphs are found within the summary section of the disclosure of Grow. Looking to the detailed description of Grow, Grow discloses translating between data interchange protocols (Grow: paragraph 0067) or between data communication protocols (Grow: paragraphs 0066, 0078, and 0098). Grow does not provide any teaching or suggestion of translating between digital rights management protocols. Examiner Mirzadegan further clarified that the rejection of Claim 1 in the Final Office Action was based on the broad disclosure in paragraph 0016 of Grow of transforming data "from any source using any protocol" to a form that can be understood by the destination in combination with the disclosure of the existence of digital rights management protocols by APA. Therefore, according to the Final Office Action, the combination would suggest transforming between digital rights management protocols because digital rights management protocols are "any protocol."

Applicant respectfully submits that the Final Office Action is using impermissible hindsight to provide an interpretation of a broad statement in the disclosure of Grow

that goes beyond the scope of the Grow. As noted above, Grow does not provide any teaching or suggestion of transforming between digital rights management protocols. Further, none of the other applied art provides any teaching or suggestion of translating between digital rights management protocols.

For at least the reasons established above in section II, Applicant respectfully submits that independent claim 1 is not taught or suggested by APA in view of Grow and further in view of Panasyuk and respectfully requests allowance of this claim.

Claims Depending From Claim 1:

Claims 2-8 were rejected under 35 USC § 103(a) as being unpatentable over APA in view of Grow and further in view of Panasyuk.

Dependent claims 2-8 depend directly or indirectly from independent claim 1 and incorporate all of the limitations thereof. Accordingly, for at least the reasons established in section II above, Applicant respectfully submits that claims 2-8 are not taught or suggested by APA in view of Grow and further in view of Panasyuk and respectfully requests allowance of these claims.

Claim 23:

Claim 23 was rejected under 35 USC § 103(a) as being unpatentable over APA in view of Grow in view of Panasyuk and further in view of Guck, U.S. Patent No. 5,848,415 (hereinafter Guck).

III. APA in view of Arai in view of Panasyuk and further in view of Guck does not teach or suggest a multi-protocol content server that provides content according to multiple digital rights management protocols.

Claim 23 recites, "a multi-protocol content server ... configured to ... return the content ... according to the first digital rights management protocol, the multi-protocol content server further configured to ... return the content ... according to the second digital rights management protocol."

In the interview, Examiner Mirzadegan further clarified that, similar to the rejection of claim 1, the rejection of claim 23 in the Final Office Action was based on broad disclosure in column 2, lines 17-22 of distributing content "to multiple receiver terminals regardless of the format and protocol requirements that these receiver terminal appliances are subject to," in combination with the disclosure of the existence of digital rights management protocols by APA. Therefore, according to the Final Office Action, the combination would suggest distributing content in different digital rights management protocols to different clients because digital rights management protocols are "protocol requirements" of the clients. Guck does not provide any teaching or suggestion of distributing content in different digital rights management protocols.

Applicant respectfully submits that the Final Office Action is using impermissible hindsight to provide an interpretation of a broad statement in the disclosure of Guck that goes beyond the scope of the Guck. As noted above, Guck does not provide any teaching or suggestion of distributing content in multiple digital rights management

protocols. Further, none of the other applied art provides any teaching or suggestion of distributing content in multiple digital rights management protocols.

For at least the reasons established above in section III, Applicant respectfully submits that independent claim 23 is not taught or suggested by APA in view of Grow n view of Panasyuk and further in view of Guck and respectfully requests allowance of this claim.

Claims Depending From Claim 23:

Claims 24-26 were rejected under 35 USC § 103(a) as being unpatentable over APA in view of Grow in view of Panasyuk and further in view of Guck.

Dependent claims 24-26, depend directly or indirectly from independent claim 23 and incorporate all of the limitations thereof. Accordingly, for at least the reasons established in section III above, Applicant respectfully submits that claims 24-26 are not taught or suggested by APA in view of Grow in view of Panasyuk and further in view of Guck and respectfully requests allowance of these claims.

Conclusion

Applicant respectfully submits that the present application is in condition for allowance for the reasons stated above. If the Examiner has any questions or comments or otherwise feels it would be helpful in expediting the application, he is encouraged to telephone the undersigned at (972) 731-2288.

The Commissioner is hereby authorized to charge payment of any further fees associated with any of the foregoing papers submitted herewith, or to credit any overpayment thereof, to Deposit Account No. 21-0765, Sprint.

Respectfully submitted,

Date: June 30, 2008

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